

September 20, 1933

Southern Arizona Bank and Trust Company
Tucson, Arizona

Attention Mr. Hubert H. d'Autremont, Vice-President

Dear Sir:

I regret my delay in answering your letter of August 16, 1933. I have been engaged in a number of tax matters in court and have been unable to give the matter submitted by you my attention.

It is my opinion that the State Treasurer may refuse to permit you to pay joint accounts until the estate has been appraised by the State Treasurer and you have been given an official release.

Section 5160 provides that the undivided interest of the decedent is subject to the inheritance tax.

Section 5163 imposes a lien upon the property from the date of transfer; that is, from the date of the decedent's death. It is my opinion that in the enforcement of this lien the State Treasurer may properly insist that the account be not paid until after the appraisal is made and official release given.

Very truly yours,

Attorney General

Assistant Attorney General

CLS:B

33-436